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**OFFICIAL****DATE:** December 11, 2003**TO:** Examiner A. Thompson (703) 305-7441  
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(LOCATION) (FAX NUMBER)**FROM:** Pat Thomas for Robert King (512) 996-6839  
(SENDER) (EXTENSION)**TOTAL NUMBER OF PAGES** 6 (Including this page)\*\*\*\*\*  
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\*\*\*\*\***Docket No.:** SC11403TS  
**Applicant:** Magdy Abadir et al.  
**Serial No.:** 09/781,492  
**Art Unit:** 2825  
**Filed:** February 13, 2001**ALL ITEMS MARKED WITH AN "X" ARE INCLUDED:**

1.	X	1 page Facsimile Cover Sheet
2.	X	1 page Fee Transmittal in Duplicate
3.	X	2 page Attorney Remarks

**Paid by Deposit Account 502117, Motorola, Inc:** \$770

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**I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE:****ON:** 12/11/03  
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Fax Number (512) 996-6854****NOTICE:** This facsimile transmission may contain information that is confidential, privileged or exempt from disclosure under applicable law. It is intended only for the person to whom it is addressed. Unauthorized use, disclosure, copying or distribution may expose you to legal liability. If you have received this transmission in error, please immediately notify us by telephone (collect) to arrange for return of the documents received and any copies made. Thank you.

<b>FEE TRANSMITTAL</b> Patent fees are subject to annual revision <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>Complete if Known</b>	
		Application Number	09/781.492
		Filing Date	February 13, 2001
		First Named Inventor	Magdy Abadir
		Examiner Name	A. Thompson
		Group Art Unit	2825
TOTAL AMOUNT OF PAYMENT		(\$)	770
		Attorney Docket No.	SC11403TS

<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <u>502117</u> Deposit Account Name <u>Motorola, Inc.</u>		<b>3. 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1254	1480	2254	740	Extension for reply within fourth month																																																																																																																																																																														
1255	2010	2255	1005	Extension for reply within fifth month																																																																																																																																																																														
1401	330	2401	165	Notice of Appeal																																																																																																																																																																														
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																														
1403	290	2403	145	Request for oral hearing																																																																																																																																																																														
1451	1510	1451	1510	Petition to institute a public use proceeding																																																																																																																																																																														
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																														
1453	1330	2453	665	Petition to revive - unintentional																																																																																																																																																																														
1501	1330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																														
1502	480	2502	240	Design issue fee																																																																																																																																																																														
1503	640	2503	320	Plant issue fee																																																																																																																																																																														
1480	130	1480	130	Petitions to the Commissioner																																																																																																																																																																														
1807	50	1807	50	Processing fee under 27 CFR 1.17(e)																																																																																																																																																																														
1806	180	1806	180	Submission of IDS																																																																																																																																																																														
6021	40	6021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																														
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																														
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																														
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																														
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																														
<b>SUBTOTAL (1)</b> (\$) <b>SUBTOTAL (2)</b> (\$) **or number previously paid, if greater; For Reissues, see above.		<b>SUBTOTAL (3)</b> (\$) * Reduced by Basic Filing Fee Paid																																																																																																																																																																																
<b>SUBMITTED BY</b> Name (Print/Type) <u>Robert L. King</u> Signature <u>Robert L. King</u>		Complete (if applicable) Registration No. <u>30,185</u> Telephone <u>512-996-6839</u> Date <u>December 11, 2003</u>																																																																																																																																																																																

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>	Application Number	09/781,492	
	Filing Date	February 13, 2001	
	First Named Inventor	Magdy Abadir	
	Group Art Unit	2825	
	Examiner Name	A. Thompson	
		Attorney Docket Number	SC11403TS

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO).

1. **Submission required under 37 C.F.R. 1.114** Note: if the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
    - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
    - ii. ☒ Other: Previously submitted inventor declarations.
  - b. ☐ Enclosed
    - i. ☐ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☐ Other \_\_\_\_\_
2. ☒ **Miscellaneous**
  - a. ☐ Suspension of Action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.117(i) required.)
  - b. ☒ Other Attorney Remarks
3. ☒ **Fees** The RCE fee under 37 C.F.R. 1.117 (e) is required by 37 C.F.R. 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 502117, Motorola Inc.
    - i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
    - ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
    - iii. ☐ Other \_\_\_\_\_
  - b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed..
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Printed/Type) <u>Robert L. King</u>	Reg. No. <u>30,185</u>
Signature <u><i>Robert L. King</i></u>	Date <u>December 11, 2003</u>

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U. S. Patent and Trademark Office on: 12-11-03

Name <u>Pat Thomas</u>	Signature <u><i>Pat Thomas</i></u>
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SC11403TS  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICIAL

In re application of: : Date: December 8, 2003

Magdy S. Abadir et al. :

Serial No.: 09/781,492 : Group Art Unit: 2825

Filed: February 13, 2001 : Examiner: A. Thompson

For: DESIGN ANALYSIS TOOL FOR PATH EXTRACTION AND FALSE PATH  
IDENTIFICATION AND METHOD THEREOF

REMARKS IN CONNECTION WITH RCE FILING

HONORABLE COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

SIR:

In response to a final rejection Office action mailed September 24, 2003, Applicants are filing a Request for Continued Examination under 37 CFR 1.53(d) of U.S. Serial No. 09/781,492 and request consideration of the following remarks presented hereinafter.

REMARKS

In the communication mailed September 24, 2003, claims 11 and 18 were allowed and claims 8-10, 12-15, 17, 19-22 and 24-31 were rejected. The claims were rejected under 35 U.S.C. 102(a) on the basis of named inventor Jayanta Bhadra's publication co-authored with named co-inventor Madgy Abadir. The paper is entitled A Quick and Inexpensive Method to Identify False Critical Paths Using ATPG Techniques: An Experiment with a PowerPC Microprocessor. Applicants submitted declarations from inventor Magdy Abadir on October 9, 2003 and from inventor Jayanta Bhadra on November 7, 2003 to provide evidence that the information contained in the reference being relied upon to form the rejection was authored by the recited inventors of the pending patent

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application. The declarations were not considered because the declarations were not filed prior to a final rejection.

Applicants therefore request the entrance of and consideration of the declarations previously filed by Magdy Abadir and Jayanta Bhadra, all of the named inventors who were authors of the publication being relied upon in the instant rejection. Applicants continue to maintain that Applicants' publication is not a valid prior art reference and therefore request the withdrawal of the rejection and the allowance of the remaining pending claims, thereby placing the application in condition for allowance.

In view of the remarks above, it is believed that Applicants' claims are allowable, and the case is now in condition for allowance, which action is earnestly solicited. Reconsideration of the rejection is respectfully requested.

Respectfully submitted,  
Magdy Abadir et al.



Robert L. King  
Attorney for Applicants  
Reg. No. 30,185

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